

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

HOWARD HOLZMACHER, Jr., and
NORTH LANDING FIREWOOD &
HAULING, INC.,

Defendants.

Civil Action No. 2:25-cv-00034-EWH-LRL

MOTION TO WITHDRAW DAVID KAPLAN AS COUNSEL

Pursuant to Local Civil Rule 83.1(H), the United States moves the Court to permit Trial Attorney David J. Kaplan to withdraw as counsel in this case. David Kaplan is retiring from the Department of Justice; his final day of employment is February 28, 2025. The grounds for this motion are set forth in the concurrently filed Memorandum in Support, which is incorporated herein by reference. A proposed order is submitted herewith.

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA

LISA LYNNE RUSSELL
Deputy Assistant Attorney General
Environment & Natural Resources Division
United States Department of Justice

ERIK S. SIEBERT
United States Attorney
Eastern District of Virginia

/s/ Albert Lin
Albert Lin, Ca. Bar No. 338253
Trial Attorney
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 7611
Washington, D.C. 20044-7611
Tel: (202) 514-2741
Fax: (202) 514-8865
albert.lin@usdoj.gov

OF COUNSEL:

LAUREN ZARRILLO
Assistant Regional Counsel
United States Environmental Protection
Agency Region 3
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103

/s/ Kent P. Porter
Kent P. Porter, VSB No. 22853
Supervisory Assistant U.S. Attorney
Office of the United States Attorney
Eastern District of Virginia
101 W. Main Street, Suite 8000
Norfolk, Va. 23510-1671
Tel: (757) 441-6331
Fax: (757) 441-6689
kent.porter@usdoj.gov

Attorneys for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2025, I caused to be served a copy of the foregoing filing, and accompanying proposed order, to counsel for Defendants at the address below by US

Mail:

Bryan S. Peebles
PENDER & COWARD, P.C.
222 Central Park Avenue, Suite 400
Virginia Beach, VA 23462

/s/ Albert Lin
Albert Lin